

FILED  
U.S. DISTRICT COURT  
BALTIMORE, MD

OCT 18 2006

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND  
(NORTHERN DIVISION)

<p>Y _____</p> <p><b>Medtronic, Inc. et. al.</b></p> <p><b>Plaintiffs,</b></p> <p>vs.</p> <p><b>Tracy Nyce et. al.</b></p> <p><b>Defendants.</b></p>	<p>Civil No. MJG-06-CV-1206</p>
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**ORDER**

Upon consideration of the Plaintiffs' motion for a Temporary Restraining Order and Preliminary Injunction, and the opposition thereto, and pursuant to the Order entered on October 11, 2006 granting Plaintiffs' motion, it is this 17<sup>th</sup> day of October, 2006 ORDERED:

1. That Plaintiffs' request to enjoin Defendant Nyce from continuing to work for Pioneer Surgical Technology is hereby DENIED;

2. That Defendant Nyce, and all those acting in concert with her, or under her direction or control shall be and hereby are preliminarily and permanently enjoined from using, disclosing or disseminating Plaintiffs' proprietary or confidential information.

3. That, pursuant to the parties' prior agreement, Elysium Digital, L.L.C. will maintain custody of the laptop computer issued to Defendant Nyce by Pioneer Surgical Technology for the duration of the litigation; if necessary, requests for information from the laptop computer, or verification that information came from the laptop computer, may be directed to Elysium Digital, L.L.C., and when the case is

resolved, the parties will jointly advise Elysium Digital, L.L.C. to destroy the computer's memory in a secure manner.

4. That Plaintiffs shall timely produce any Group A documents they intend to use as evidence against Defendants in advance of any deposition they take in this litigation pursuant to the protective order governing this case. These documents may not be disclosed by Defendants to Pioneer or counsel for Pioneer.

5. That Defendant Nyce shall, on or before Thursday, October 19, 2006, identify to Medtronic under oath, all persons, if any, to whom she disclosed, discussed or otherwise disseminated confidential or proprietary documents of Medtronic since January 12, 2006 and the identity of any Pioneer employees or agents, if any, to whom she disclosed, discussed or disseminated any confidential or proprietary Medtronic documents prior to January 12, 2006.

6. That Defendant Nyce shall, on or before Thursday, October 19, 2006, produce to Medtronic all other electronic or hard copies of Medtronic documents, if any, in her possession, custody or control.

This Order is hereby conditioned upon Medtronic's filing with the Clerk of the Court no later than October 31, 2006 an undertaking in the form of a bond or cash in the amount of \$500.00.

SO ORDERED, this 17<sup>th</sup> day of October, 2006.

/s/  
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Marvin J. Garbis, Judge  
United States District Court for the  
District of Maryland